

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Urs Mosimann et al.

Application No. 09/848,105

Filed: May 2, 2001

For: EXERCISE DEVICE WITH BODY EXTENSION  
MECHANISM

Confirmation No.: 7624

Art Unit: 3764

Examiner: Hwang, Victor Kenny

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**  
**(Under 37 C.F.R. § 1.97(b)(4) and § 1.98) AND**  
**STATEMENT OF RELATEDNESS (Under M.P.E.P. § 2001.06(b))**

Sir:

The Examiner is requested to consider the references noted on the enclosed Form PTO/SB/08A during examination of the above-identified patent application. The references are submitted for the Examiner's consideration and are submitted pursuant to the duty of disclosure under 37 C.F.R. § 1.56. In submitting the references, no representation is made or implied that the references are or are not material to the examination of the application in accordance with 37 C.F.R. § 1.97(h). The Examiner is requested to review all cited references and is encouraged to make his or her own determination of materiality of all cited references on enclosed Form PTO/SB/08A. Pursuant to 37 C.F.R. § 1.98(a)(2)(ii), copies of the U.S. patent references are not provided, unless required by the Office. Copies of the foreign and non-patent literature documents are provided herewith.

German patent No. 198 01 672 A1, French patent No. 2,561,528, and Russian publication No. 1 720 666 A1 are not in the English language. Therefore, in compliance with 37 C.F.R. § 1.98(a)(3)(i), an English translation of the abstract from esp@cenet Database – Worldwide located at <http://ep.espacenet.com> is attached to German patent No. 198 01 672 A1 and French patent No. 2,561,528 and an English translation of the Abstract of Russian

publication No. 1 720 666 A1 is attached to this reference, in order to satisfy the requirement for a concise explanation of relevance for each non-English foreign patent reference.

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and as required by M.P.E.P. § 2001.06(b), the Examiner is requested to consider the following applications owned by Assignee, Nautilus, Inc., of the present application and that may include subject matter similar to that of the present application:

- (1) U.S. application No. 11/427,941, filed June 30, 2006 (Atty. Docket No. 1613/US/2), pending;
- (2) U.S. application No. 10/383,100, filed March 6, 2003, and issued as U.S. patent No. 7,004,891 on February 28, 2006 (Atty. Docket No. 33596/US),
- (3) U.S. application No. 10/192,330, filed July 10, 2002, and issued as U.S. patent No. 7,004,890 on February 28, 2006 (Atty. Docket No. 33596/US); and
- (4) U.S. application No. 10/211,409, filed August 1, 2002, and issued as U.S. patent No. 7,070,545 on July 4, 2006 (Atty. Docket No. 1613/US).

This Information Disclosure Statement is filed concurrently with the filing of a Request for Continued Examination under 37 C.F.R. § 1.114. Accordingly, pursuant to 37 C.F.R. § 1.97(b)(4), no fees are due with respect to this filing. However, should any fees be deemed necessary, such fees may be charged to Deposit Account No. 04-1415.

If the Examiner has any questions, please contact the undersigned attorney.

Dated: November 30, 2006

Respectfully submitted,



Robert D. Hoge, Reg. No. 55,273  
DORSEY & WHITNEY, LLP  
370 Seventeenth Street, Suite 4700  
Denver, CO 80202-5647  
Tel: (303) 629-3400  
Fax: (303) 629-3450

USPTO Customer No.: 20686

Enclosures

PTO/SB/08A (08-03) U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Substitute for Form 1448A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)	<b>APPLICATION NO.:</b> 09/648,105	<b>FILING DATE:</b> May 2, 2001
	<b>FIRST NAMED INVENTOR:</b> Urs Mosimann et al.	<b>ART UNIT:</b> 3764
	<b>EXAMINER NAME:</b> Hwang, Victor Kenny	<b>ATTY. DOCKET NO.:</b> 1448/US (Formerly 11006.00)

### U.S. PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. <sup>1</sup>	PATENT NUMBER <small>Number - (ord Code* (if known)</small>	ISSUE DATE <small>MM-DD-YYYY</small>	Name of Patentee of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		2,855,199	10/07/1958	Noland et al.	
		3,712,613	01/23/1973	Feather et al.	
		3,850,431	11/26/1974	Winans	
		3,858,673	01/07/1975	Jones	
		3,996,454	12/21/1976	Jones	
		4,149,713	04/17/1979	McLeod	
		4,200,279	04/29/1980	Lambert, Jr.	
		4,204,676	05/27/1980	Givens	
		4,231,568	11/04/1980	Riley et al.	
		4,235,437	11/25/1980	Ruis et al.	
		4,254,949	03/10/1981	Brentham	
		4,333,644	06/08/1982	Lambert, Jr. et al.	
		4,387,893	06/14/1983	Baldwin	
		4,387,894	06/14/1983	Baumann	
		4,405,128	09/20/1983	McLaughlin et al.	
		4,429,871	02/07/1984	Flechner	
		4,448,412	05/15/1984	Brentham	
		4,466,613	08/21/1984	Reese	
		4,468,025	08/28/1984	Sferle	
		4,493,485	01/15/1985	Jones	
		4,505,475	03/19/1985	Olshansky et al.	
		4,535,985	08/20/1985	Mask	
		4,666,149	05/19/1987	Olshansky et al.	
		4,708,338	11/24/1987	Potts	
		4,722,522	02/02/1988	Lundgren	
		4,725,056	02/16/1988	Behrl et al.	
		4,725,057	02/16/1988	Shifferaw	
		4,730,829	03/15/1988	Carlson	
		4,743,011	05/10/1988	Coffey	
		4,750,736	06/14/1988	Watterson	
		4,753,126	06/28/1988	Sammaratano	
		4,793,608	12/27/1988	Mahnke et al.	
		4,796,881	01/10/1989	Watterson	
		4,799,671	01/24/1989	Hoggan et al.	
		4,824,104	04/25/1989	Bloch	

## U.S. PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No.¹	PATENT NUMBER	ISSUE DATE	Name of Patentee of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code (if known)	MM-DD-YYYY		
		4,836,536	06/06/1989	Jones	
		4,842,271	06/27/1989	Vinciguerra	
		4,846,468	07/11/1989	Potts	
		4,848,740	07/18/1989	VanDerHoeven	
		4,858,915	08/22/1989	Szabo	
		4,883,270	11/28/1989	Maag	
		4,900,018	02/13/1990	Ish, III et al.	
		4,902,007	02/20/1990	Ferrari	
		4,902,009	02/20/1990	Jones	
		4,907,798	03/13/1990	Burchaltz	
		4,921,242	05/01/1990	Waterson	
		4,930,768	06/05/1990	Lapcevic	
		4,940,227	07/10/1990	Coffey	
		4,979,737	12/25/1990	Kock	
		4,982,955	01/08/1991	Heasley	
		4,986,538	01/22/1991	Ish III	
		5,000,448	03/19/1991	Samo	
		5,002,271	03/26/1991	Gonzales	
		5,039,089	08/13/1991	Lapcevic	
		5,056,779	10/15/1991	Webb	
		5,080,939	10/29/1991	Oswald et al.	
		D321,390	11/05/1991	Jones	
		5,086,003	11/19/1991	Jones	
		5,086,004	11/19/1991	Jones	
		5,080,351	04/14/1992	Rockwell	
		5,094,449	03/10/1992	Stearns	
		D324,710	03/17/1992	Habing	
		5,100,131	03/31/1992	Fong	
		5,104,121	04/14/1992	Webb	
		5,106,080	04/21/1992	Jones	
		5,122,108	06/18/1992	Atwood et al.	
		5,135,459	08/04/1992	Perry, Jr.	
		5,211,614	05/18/1993	Henes	
		5,221,245	06/22/1993	Yeh	
		5,260,870	11/09/1993	Tsuchiya et al.	
		5,267,930	12/07/1993	Henes	
		5,273,504	12/28/1993	Jones	
		5,290,214	03/01/1994	Chen	
		5,295,931	03/22/1994	Dreibelbis et al.	
		Re. 34,572	03/29/1994	Johnson et al.	
		5,302,161	04/12/1994	Loubert et al.	
		5,304,107	04/19/1994	Jonee	
		5,312,315	05/17/1994	Mortensen et al.	
		D347,040	05/17/1994	Wang	
		5,324,246	06/28/1994	Wang	

## U.S. PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. <sup>1</sup>	PATENT NUMBER	ISSUE DATE	Name of Patentee of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (If known)	MM-DD-YYYY		
		5,354,248	10/11/1994	Rawls et al.	
		5,356,360	10/18/1994	Johns	
		D353,423	12/13/1994	Chen	
		D355,684	02/21/1995	Rawls et al.	
		5,403,257	04/04/1995	Lehtonen	
		5,417,634	05/23/1995	Habing	
		D359,326	06/13/1995	Deola	
		D362,281	09/12/1995	Warehime et al.	
		5,456,644	10/10/1995	Hecox et al.	
		D370,040	05/21/1996	Habing et al.	
		5,518,477	05/21/1996	Simonson	
		5,547,444	08/20/1996	Huang	
		5,549,533	08/27/1996	Oison et al.	
		5,554,086	09/10/1996	Habing et al.	
		5,554,090	09/10/1996	Jones	
		5,565,002	10/15/1996	Rawls et al.	
		5,616,111	04/01/1997	Randolph	
		5,626,548	05/06/1997	Coyle	
		D380,242	06/24/1997	Wang et al.	
		5,667,465	09/16/1997	McCollum et al.	
		5,692,997	12/02/1997	Stearns	
		5,709,633	01/20/1998	Sokol	
		5,716,308	02/10/1998	Lee	
		5,722,922	03/03/1998	Watterson et al.	
		5,733,229	03/31/1998	Dalebout et al.	
		5,762,590	06/09/1998	St. Fleur et al.	
		5,776,040	07/07/1998	Webb et al.	
		5,788,615	09/14/1999	Jones	
		5,810,698	09/22/1998	Hullert et al.	
		5,827,154	10/27/1998	Gill	
		5,904,638	09/14/1999	Habing et al.	
		5,906,566	05/25/1999	Whitcomb	
		5,944,641	09/14/1999	Habing	
		5,951,448	09/14/1999	Bolland	
		5,961,427	10/05/1999	Habing et al.	
		5,980,434	11/09/1999	Webber	
		5,989,165	11/23/1999	Giannelli et al.	
		6,027,429	02/22/2000	Daniels	
		6,074,328	06/13/2000	Johnson	
		6,090,020	07/18/2000	Webber	
		6,117,055	09/12/2000	Boland	
		6,120,416	09/19/2000	Walker	
		6,171,219 B1	01/09/2001	Simonson	
		6,220,993 B1	04/24/2001	Sencil	
		D444,190 S	06/26/2001	Webber	



## OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS	Cite No. <sup>2</sup>	Include name of Author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>3</sup>
		"8300s Series II Strength System," Schwinn Cycling & Fitness Inc., one page of product brochure showing 8300 Series II Strength System, 1 page (1999).	
		Body Masters MD 504 Pec Contractor & Rear Deltoid Machine, brochure, 3 pages (1994).	
		Bowflex advertisement flyer and order form "Special Offer! Order in 30 days and Receive an Extra 100lbs of Power Rods FREE!", 20 pages (1992).	
		Nautilus catalog, 92 pages (undated).	
		Nautilus® Free Weight Equipment 2001 brochure, 14 pages (2001).	
		Nautilus® Home Gyms 2001 brochure, 12 pages (2001).	
		Nautilus, The Next Generation catalog, 48 pages (undated).	
		"Odyssey 5" Home Gym, TuffStuff, cover page of product brochure and three images therefrom, 2 pages (2001).	
		Schwinn® Fitness, "Harness the Force of Nature and You Possess the Strength of Confidence" brochure 32 pages (1996-1997).	
		Schwinn Iron Classic Strength Training System by Bowflex® Owner's Manual, 55 pages (1993).	
		"Stamina LT-2000 Band Flex Gym", Stamina Products, Inc., located at Egghead.com, 3 pages (at least as early as March 9, 2001).	
		Universal 1981-82 catalog, 2 pages, pg. 12, (June 1, 1981).	
		"Club Series Beyond Life Fitness Strength", LifeFitness, 16 pages (date unknown).	
		Yukon Fitness Equipment, TK-400, Caribou II Gym, 16 pages, 1994-1995 Catalog	
		Body-Solid, Pro-Smith Gym, #WSM-44, Body-Solid Strength Training Equipment Catalog, 8 pages, copyright 2000.	

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with any communications to applicant.

\* **EXAMINER:** Indicate if citation considered, whether or not citation is in conformance with MPSP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with your communications to applicant.